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9 Attorneys for Defendant  
HEALTHYPETS.COM  
10

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13

14 FEDERAL EXPRESS CORPORATION,

15 Plaintiff,

16 vs.

17 HEALTHYPETS.COM and DOES 1  
18 THROUGH 10, inclusive,

19 Defendant.  
20

Case No.: C11-02481 EDL

**STIPULATION AND ~~PROPOSED~~**  
**ORDER TO CONTINUE CASE**  
**MANAGEMENT CONFERENCE**

21 Plaintiff Federal Express Corporation ("Plaintiff") and Defendant HealthyPets.com  
22 ("Defendant") (jointly, the "Parties"), by and through their undersigned counsel, hereby enter  
23 into the following stipulation:

24 WHEREAS, pursuant to the Court's August 29, 2011 Notice of Setting Case  
25 Management Conference ("CMC Notice") and Rule 26 of the Federal Rules of Civil Procedure,  
26 there is a Case Management Conference scheduled for November 8, 2011 at 10:00 a.m.;

27 WHEREAS, the parties have engaged in extensive settlement negotiations and stipulate  
28 that they have reached a settlement agreement of this matter;

1 WHEREAS, to allow sufficient time for the parties to finalize settlement of this case, the  
2 Parties desire to continue the case management deadlines and hearing set forth in the Court's  
3 CMC Notice for approximately 30 days;

4 NOW, THEREFORE, the Parties hereby stipulate to a request that the Case Management  
5 Conference currently set for November 8, 2011, be vacated and that the parties have thirty days  
6 to file a Request for Dismissal of the case. If the settlement is not completed the parties stipulate  
7 that they will provide notice to the Court within 30 days of said development.

8  
9 IT IS SO STIPULATED

10 NEVIN, RAMOS & STEELE

11  
12  
13 DATED: November 7, 2011

By: /s/ Geoffrey W. Steele  
Geoffrey W. Steele

15 Attorneys for HEALTHYPETS.COM.

16 SHANE & TAITZ

17  
18  
19 DATED: November 7, 2011

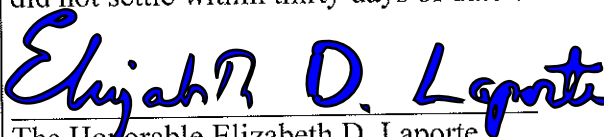
By: /s/ David R. Shane  
David R. Shane

20 Attorney for Plaintiff FEDERAL EXPRESS  
21 CORPORATION

22 IT IS SO ORDERED.

23 (1) The Case Management Conference currently scheduled for November 8, 2011 ~~be~~  
is continued to December 6, 2011 at 3:00 p.m.

24 ~~vacated.~~ The parties shall either file a dismissal of the case or shall notify the court that the case  
25 did not settle within thirty days of date of this Order.

26   
27 The Honorable Elizabeth D. Laporte  
28 United States Magistrate Judge

November 7, 2011  
Date